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Chairman: Mr. Butagira ..... (Uganda)

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The meeting was called to order at 3.20 p.m.

Agenda item 71: Human rights questions (*continued*)

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*) (A/C.3/60/L.53 and L.68)

Draft resolution A/C.3/60/L.53: Situation of human rights in Myanmar

1. **The Chairman** drew the Committee's attention to the statement of programme budget implications contained in document A/C.3/60/L.68.

2. **Mr. Khane** (Secretary of the Committee) recalled that Israel should have been included as an original sponsor and that the Republic of Korea, Serbia and Montenegro and Switzerland had joined in sponsoring the draft resolution at the time of its introduction.

3. **Mr. Wood** (United Kingdom), speaking on behalf of the original sponsors and also Australia, Andorra and Iceland, said that the sponsors remained deeply concerned about the ongoing, systematic human rights abuses in Myanmar, the fact that the Government of Myanmar had reduced its cooperation with the United Nations system and other international organizations, and the intimidation of those who cooperated with the International Labour Organization (ILO). They deeply regretted that the Special Envoy of the Secretary-General for Myanmar and the Special Rapporteur on the situation of human rights in Myanmar had not been allowed to visit since March 2004 and November 2003 respectively.

4. The draft resolution nonetheless also reflected positive developments in various fields. Because the democratic transition would have a fundamental influence on human rights, the sponsors had sought a more constructive and forward-looking approach in the current year's text. It had also acknowledged the process set in motion by the Government and identified the minimum international standards that would underpin a successful transition to democracy.

5. The sponsors fully agreed that a cooperative approach could help improve human rights situations and the ability of Governments to promote and protect human rights. For that reason, extensive consultations had been held with the delegation of Myanmar and other interested delegations, and the sponsors had offered to make substantial changes to the text. The draft resolution also now contained an offer of technical assistance to the Government of Myanmar on issues covered by the draft resolution. He urged the Committee to adopt the draft resolution without a vote, as it had done in the past.

6. He read out two revisions: in paragraph 1 (d), the words "on 6 July 2005" should be inserted after the words "The release by the Government of Myanmar of two hundred forty-nine political prisoners"; and in paragraph 3 (h), the words "a genuinely inclusive process" should be replaced by "an inclusive and credible process".

7. **Mr. Khane** (Secretary of the Committee) said that Bulgaria also wished to join in sponsoring the draft resolution.

8. **Mr. Swe** (Myanmar), making a general statement, said that over the years the European Union had put forward draft resolutions on Myanmar with a clear intention of micromanaging Myanmar's domestic political process under the pretext of human rights. Each year the content had become more intrusive and prescriptive. The focus of the draft resolution had shifted from human rights to the domestic political process. Despite several rounds of consultations, the text remained biased and politically intrusive. It encroached upon areas that were solely within the domestic domain of a sovereign Member State.

9. Through its national reconciliation process, Myanmar had promoted national unity. Almost all the country's insurgent groups had now joined the National Convention, an all-inclusive process that had made significant progress in laying down the principles to be enshrined in a new State Constitution. A draft State Constitution would be put to a national referendum and, if adopted, elections would be held. However, the European Union had turned a blind eye to those and other developments and once again had presented a highly politicized and intrusive draft resolution that selectively targeted Myanmar.

10. The current text also contained very harsh language and unfounded allegations, many of which originated from the disinformation campaign being waged by insurgents and a drug-trafficking armed group in an attempt to discredit the Government and people of Myanmar. His delegation regretted that the sponsors had become spokespersons for such elements. If the draft resolution went unchallenged, it would not

only infringe upon Myanmar's national sovereignty, but also create a dangerous precedent that would have far-reaching consequences for the entire United Nations membership. In the past, his delegation had not pressed for a vote but instead had dissociated itself from draft resolutions on Myanmar. However, in view of the intrusive language of the current text, his delegation saw no other recourse but to oppose the draft resolution.

11. In that regard, he recalled that, at their most recent Summit, held in Kuala Lumpur, the Heads of State or Government of Non-Aligned Countries had reaffirmed that human rights should not be used as instruments of political pressure especially against non-aligned and other developing countries and had upheld the Vienna spirit of international cooperation that should exclude exploitation of the question of human rights for political purposes, including selective targeting of individual countries for extraneous motivations. It was particularly important for the United Nations to remain faithful to that principle during the current reform of its human rights machinery. He therefore appealed to all developing countries to stand in solidarity with Myanmar and defeat the draft resolution by voting in favour of the motion to adjourn the debate on the draft resolution later in the meeting.

12. **Mr. Hamidon Ali** (Malaysia) said that his delegation wished to reiterate the principles enunciated by the Heads of State or Government of Non-Aligned Countries, namely that human rights issues must be addressed within the global context through a constructive, dialogue-based approach, with objectivity, respect for national sovereignty and territorial integrity, non-interference in the internal affairs of the State, impartiality, non-selectivity and transparency as the guiding principles, and that exploitation of human rights for political purposes, including selective targeting of individual countries for extraneous considerations, which was contrary to the principles and purposes of the United Nations Charter, should be excluded.

13. Guided by such principles, his delegation was opposed to resolutions targeting specific countries and, should any delegation move the adjournment of the debate on the draft resolution, would vote in favour of such a motion. His delegation called on the States submitting such draft resolutions to reconsider their actions, as the practice of "naming and shaming" Member States did not help promote human rights, but only contributed to further polarization and division among countries.

14. **Mr. Amorós Núñez** (Cuba) said that the objective of the draft resolution was not to promote genuine international cooperation on human rights but to politically manipulate Myanmar. With the current draft, the European Union, driven by selectivity, bias, double standards and a lack of objectivity, was rejecting dialogue and the principle of national sovereignty and territorial integrity. It was also seeking to disrupt the Committee's work, as it had done the work of the Commission on Human Rights. His delegation therefore moved the adjournment of the debate on the draft resolution under rule 116 of the rules of procedure and called for the support of all delegations. He hoped that the European Union would not reiterate its supposed opposition to such motions, given that in 2004, in the Commission on Human Rights, it had moved the adjournment of the debate on a draft resolution submitted by Cuba on the situation of detainees at the United States naval base in Guantánamo Bay.

15. **Mr. Khane** (Secretary of the Committee) said that the United States wished to join in sponsoring the draft resolution.

16. **The Chairman** said that, pursuant to rule 116 of the rules of procedure, two representatives could speak in favour of, and two against, the motion, after which the adjournment would be put to the vote.

17. **Mr. La Yifan** (China) said that his delegation supported the motion. Different countries had different levels of development; it was normal for them to have differences over human rights issues. States should seek to enhance understanding and resolve differences through dialogue and cooperation, on a basis of mutual respect and equality. The use of country-specific resolutions to single out developing countries led only to division and confrontation among Member States and was not conducive to the cause of human rights. China therefore hoped that all delegations would support the motion.

18. **Mr. Aydogdyev** (Turkmenistan) said that only through dialogue, encouragement, cooperation and capacity-building would the United Nations be able to assist countries in the advancement of human rights. Submitting country-specific resolutions, particularly against developing countries — as was the current

trend — did not reflect a constructive, dialogue-based approach and did little to promote human rights. At a time when the United Nations was seeking to reform its human rights machinery, it was important to follow a principled approach. His delegation therefore strongly supported the motion.

19. **Mr. Wood** (United Kingdom), speaking on behalf of the European Union, said that it was an important matter of principle to vote against any motion to adjourn the debate on the item under discussion. Moreover, it was not true that the European Union had introduced such a motion in the Commission on Human Rights. The Cuban motion was clearly aimed at preventing the Committee from examining substantive issues dealing with the promotion and protection of human rights — in the current case, in Myanmar. No country could be regarded as being beyond consideration by international human rights forums. Such a notion ran counter to the principles of universality and interdependence of all human rights. The Committee must address the situation of human rights in Myanmar, given the ongoing systematic violations and the Government's refusal to cooperate with the Special Rapporteur and the Secretary-General's Special Envoy.

20. If successful, the motion would not only prevent the Committee from even considering the issues covered in the draft resolution but also end the mandate that permitted the Secretary-General to use his good offices to continue dialogue with the Government of Myanmar — the kind of cooperative approach many delegations said they supported. The European Union would prefer Governments to enter into dialogue and allow the international community to fulfil its legitimate role in assessing implementation of human rights standards. As the only United Nations body dealing with human rights that had universal membership, the Committee should take action to address the international community's concerns and urge the Government of Myanmar to comply with United Nations decisions. The only conclusion that could be drawn from a failure to do so would be that the international community was indifferent to the human rights of the people of Myanmar. He therefore urged delegations to vote against the motion, regardless of their voting intentions on the draft resolution itself.

21. **Mr. Begg** (New Zealand) said that when delegations submitted proposals, particularly on grave human rights violations, the Committee ought to take action on them. If other delegations had concerns about the political motivation behind a draft resolution, the appropriate response was to vote against it, or abstain, not to seek to avoid taking action altogether through procedural motions. Draft resolutions should pass or fail according to their merits, not according to procedural tricks.

22. His delegation regretted the accusations of selectivity and double standards and the inaccurate assertion that Western countries sought to avoid international scrutiny. New Zealand, like many others, had opened itself up to such scrutiny by cooperating fully with treaty bodies and special procedures. Accusations that country-specific resolutions targeted developing countries was a distortion of the debate and a clear attempt to distract the Committee's attention. The draft resolution was introduced not to target a developing country, but because it focused on one of the most desperate human rights situations in the world today. Those delegations that had moved the adjournment of the debate would have the Committee believe it was because they were opposing hypocrisy, when the only hypocrisy was remaining silent in the face of massive human rights violations. His delegation intended to vote against the motion and hoped that all other delegations would do the same.

23. *A recorded vote was taken on the motion to adjourn the debate on draft resolution A/C.3/60/L.53.*

In favour:

Algeria, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Brunei Darussalam, Cambodia, Cameroon, China, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Egypt, Eritrea, Fiji, Gambia, Guinea, India, Indonesia, Iran (Islamic Republic of), Jamaica, Kazakhstan, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Malaysia, Mauritania, Myanmar, Namibia, Nepal, Pakistan, Papua New Guinea, Philippines, Russian Federation, Saint Lucia, Sierra Leone, Singapore, South Africa, Sudan, Syrian Arab Republic, Thailand, Turkmenistan, Uganda, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Afghanistan, Albania, Andorra, Argentina, Australia, Austria, Belgium, Bolivia, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Haiti, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Nauru, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Vanuatu.

Abstaining:

Angola, Botswana, Brazil, Burkina Faso, Burundi, Cape Verde, Colombia, Djibouti, Equatorial Guinea, Ethiopia, Ghana, Guinea-Bissau, Guyana, Iraq, Jordan, Kenya, Kuwait, Kyrgyzstan, Mali, Mauritius, Morocco, Niger, Qatar, Rwanda, Saudi Arabia, Senegal, Sri Lanka, Suriname, Tajikistan, Togo, Trinidad and Tobago, Tunisia, United Arab Emirates, United Republic of Tanzania, Uruguay.

24. *The motion was rejected by 77 votes to 54, with 35 abstentions.*

25. **Mr. Swe** (Myanmar) said that, even though the motion to adjourn the debate on the draft resolution had been rejected, the results of the vote sent a clear message. Despite the tremendous political pressure exerted on developing countries, it was most telling that — apart from the 25 States members of the European Union, the United States and 20 other sponsors — the draft resolution had the support of only some 30 countries, thereby demonstrating that the "naming and shaming" tactics used by the powerful countries to selectively target developing countries for extraneous reasons were entirely unacceptable. Myanmar would not accept the exploitation of human rights for political purposes or the blatant attempt to dictate its domestic political process. It would proceed with its road map for a smooth transition to democracy and would resist all attempts to interfere in its internal affairs. Though it was not requesting a vote, his delegation dissociated itself entirely from the draft resolution.

26. *Draft resolution A/C.3/60/L.53, as orally revised, was adopted.*

27. **The Chairman** said that a number of delegations wished to express their position on the draft resolution.

28. **Mr. Amorós Núñez** (Cuba) reiterated that his delegation also dissociated itself from the consensus on the draft resolution, which in no way sought cooperation but was based on selectivity, bias and, above all, political manipulation.

29. **Ms. García-Matos** (Bolivarian Republic of Venezuela) reiterated her delegation's opposition to the practice of criticizing certain countries for human rights violations, as it contradicted the principles and purposes of the Charter. Any measure taken by the United Nations to promote and protect human rights must be based on cooperation and dialogue and should not penalize developing countries. Her delegation therefore dissociated itself from the consensus on the draft resolution.

30. **Mr. Taranda** (Belarus) said that his delegation had consistently considered such draft resolutions as the one on human rights in Myanmar as counterproductive and not conducive to the protection of human rights. Cooperation in human rights matters should be based on respect for national sovereignty and constructive dialogue among States. The work of the Committee should not be politicized.

31. **Mr. Ozawa** (Japan) said that over the years the delegation of Myanmar had consistently engaged in dialogue and negotiations in the Committee, the General Assembly and the Commission on Human Rights regarding various resolutions related to the human rights situation in its country. Although it had dissociated itself from the adoption of such resolutions, it had never opposed them. It was regrettable that at the current session a vote on a no-action motion had been deemed necessary because the delegation of Myanmar and the main sponsors had been unable to agree on mutually acceptable language to ensure adoption by consensus. The international community should adopt human rights resolutions that were balanced and that not only expressed concern but also welcomed and

encouraged improvements. Also, contrary to the case at hand, the Committee should always be given adequate time to consider the programme budget implications of draft resolutions.

32. In order to improve its human rights situation and pursue democratization, Myanmar should continue to engage in dialogue with the international community, particularly the United Nations. At the same time, the Secretary-General should continue to provide his good offices and to discuss with the Government and the people of Myanmar ways of improving the human rights situation and ensuring the restoration of democracy.

33. **Ms. Adiuso** (Indonesia) said that the submission of a country-specific draft resolution ran counter to ongoing efforts to reform the United Nations human rights machinery and avoid confrontational initiatives and the politicization of the Organization's work. Human rights issues must be addressed within the global context constructively, objectively, through dialogue and with respect for the principles of national sovereignty, territorial integrity, non-interference, impartiality, non-selectivity and transparency. The selective targeting of countries for political purposes should not be allowed.

34. **Mr. Arziev** (Uzbekistan) stated that Uzbekistan opposed country-specific resolutions on human rights issues because such initiatives created rifts among Member States. Emphasis on specific countries could thwart current discussions on the reform of the United Nations human rights machinery. Understanding Myanmar's position and appreciating its effort to avoid further rifts, Uzbekistan was not to be associated with the draft resolution.

Agenda item 67: Promotion and protection of the rights of children (*continued*) (A/C.3/60/L.22/Rev.1, L.66 and L.69)

Draft resolution A/C.3/60/L.22/Rev.1: Rights of the child

35. **The Chairman** drew attention to two documents pertaining to the draft resolution. The first, document A/C.3/60/L.66, was the statement of programme budget implications contained in draft resolution A/C.3/60/L.22 which also applied to the revised text. The second, document A/C.3/60/L.69, contained amendments submitted by the delegation of Singapore.

36. **Mr. Wood** (United Kingdom), introducing the draft resolution on behalf of the original sponsors, said that Albania, Andorra, Angola, Armenia, Australia, Benin, Bosnia and Herzegovina, Burkina Faso, Cape Verde, the Central African Republic, the Congo, Côte d'Ivoire, Iceland, Madagascar, Malawi, Mauritius, Nepal, the Philippines, the Republic of Moldova, Serbia and Montenegro, South Africa, Switzerland, Thailand, Togo, Turkmenistan and Ukraine had joined the sponsors.

37. The draft resolution was the product of a collaborative process between the European Union and some Latin American and Caribbean countries. The extensive consultations had led to rich discussions motivated by an obvious commitment of all the delegations involved to the rights of children. In addition to addressing the major challenges that threatened the full enjoyment of children's human rights, the draft resolution for the first time contained a section on one particular aspect of children's rights: the vulnerability of children affected by HIV/AIDS.

38. Despite extensive consultations, the sheer breadth of the issues covered by the draft resolution meant that not all delegations would find every paragraph acceptable. The sponsors had carefully weighed all the views expressed during consultations and had included references which had the support of the overwhelming majority of the delegations. They trusted that there would be no attempt to press amendments which experience had shown to be unacceptable to the majority. In view of its importance, the draft resolution deserved to be adopted by consensus.

39. **Mr. Khane** (Secretary of the Committee) announced that Algeria, Burundi, Guinea-Bissau, Kenya, Lesotho, Mauritania, Mozambique, New Zealand, the Niger, Nigeria, Papua New Guinea, the Russian Federation, Rwanda, Swaziland, Uzbekistan and Zambia had joined the sponsors.

40. **Mr. Tan** York Chor (Singapore), introducing the amendments to the draft resolution contained in document A/C.3/60/L.69, said that discipline in the schools was essential but should be properly regulated, and no child should be subjected to torture or other cruel, inhuman or degrading treatment or punishment in detention centres. The proposed amendments should be acted upon separately, because each merited consideration in the context of the relevant paragraphs of the draft.

41. **The Chairman** invited Committee members to make general statements before the Committee proceeded to vote on the amendments.

42. **Mr. Tan** York Chor (Singapore) said that in recent years a vote had been requested on various, formerly non-contentious draft resolutions. That was because some delegations, seemed to be eager to score points over others by bringing up divisive issues, compelling those who did not agree to call for a vote and thereby precluding consensus and distracting the General Assembly's attention from the main issue. Exploiting noble causes to score an illusory victory could only discredit the resolutions and the Organization. The issue of the death penalty had first emerged at the fifty-seventh session of the General Assembly. The elimination of corporal punishment in schools had been added for good measure the following year, when the main sponsor had barely abolished that form of punishment at home. Many countries, however, believed that they were entitled to differ in their views, as it was the right of every sovereign State to make its own decisions on such issues.

43. Singapore, firmly committed to implementing the Convention on the Rights of the Child, had an excellent domestic record on supporting the well-being of children, and invested heavily in their health, safety and education. The Government's policy of maintaining a school environment conducive to learning, free from dangers and unhealthy distractions, was widely supported by the people of Singapore. Every society had its own approach to school and parental discipline, and any attempt to impose policy details on diverse societies was unacceptable. Portraying disciplinary action taken in schools under proper regulations as a form of violence against children would unwarrantedly criminalize school authorities and would discredit the draft resolution. It would also criminalize parents who applied reasonable corporal punishment. Concerns about abuses by public officials should be addressed through adequate safeguards. During the informal consultations, the main sponsor had acknowledged that corporal punishment in schools was a very complex issue. For every argument in favour of abolishing corporal punishment, there was a counter-argument and evidence for maintaining it, provided it was properly regulated and reasonable. Moreover, some of the sponsors, including the main sponsor, had permitted corporal punishment in their schools until quite recently. Having made the change themselves, they expected every other State to comply with what they considered to be a new universal standard.

44. With regard to the provision in paragraph 3 that urged States parties to "consider reviewing other reservations with a view to withdrawing them", it should be noted that the Vienna Convention on the Law of Treaties explicitly permitted reservations that were compatible with the object and purpose of the relevant Convention. The purpose of reservations to international treaties and conventions was to encourage the early accession of as many countries as possible. The tendency to discourage reservations was therefore counterproductive and gave cause for concern. If specific obligations did not admit a reservation, the treaty or convention concerned should explicitly forbid reservations in respect of those obligations.

45. **Mr. Wood** (United Kingdom) said that the proposed amendments were regrettable because they had been fully considered during open, transparent and friendly informal consultations. The United Kingdom was not the only main sponsor of the draft resolution. More than 50 countries from the European Union and the Latin American and Caribbean region and other States, 90 sponsors in all, had been overwhelmingly against the changes proposed by the delegation of Singapore. The main sponsors valued consensus, but not at the expense of never progressing on the issues concerned. They would oppose the amendments.

46. **Ms. Pi** (Uruguay) said that the amendments were unacceptable to the sponsors. The proposed new operative paragraph 15 (c) was redundant and could lead to misinterpretation of the spirit of the resolution. The amendment to operative paragraph 15 (d) was untenable, because corporal punishment violated article 19 of the Convention on the Rights of the Child. Protection of children from all physical and mental punishment or violence was provided for by the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. The amendment to operative paragraph 27 weakened unacceptably language adopted by the Commission on Human Rights and the General Assembly. Articles 6 and 37 of the Convention on the Rights of the Child contained relevant provisions. The amendment to operative paragraph 28 was inappropriate because that paragraph was aimed at the elimination of corporal punishment of persons under 18 in detention centres, in

line with the Convention on the Rights of the Child. The Committee should adopt a clear-cut text recognizing that the rights of the child were paramount.

47. **Mr. Khane** (Secretary of the Committee) said that, the main sponsors having rejected the four amendments proposed by Singapore in document A/C.3/60/L.69, the delegation of Singapore had requested a separate vote on each amendment to draft resolution A/C.3/60/L.22/Rev.1.

48. *A recorded vote was taken on the proposed insertion of a new subparagraph following paragraph 15 (c).*

In favour:

Afghanistan, Antigua and Barbuda, Bahamas, Bangladesh, Barbados, Belize, Bhutan, Botswana, Brunei Darussalam, Cambodia, China, Democratic People's Republic of Korea, Dominica, Equatorial Guinea, Gambia, Ghana, Grenada, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Libyan Arab Jamahiriya, Malaysia, Myanmar, Oman, Pakistan, Republic of Korea, Saint Lucia, Sierra Leone, Singapore, Sudan, Suriname, Syrian Arab Republic, United States of America, Viet Nam.

Against:

Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Central African Republic, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Georgia, Germany, Greece, Guatemala, Guinea-Bissau, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mozambique, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Yemen, Zambia.

Abstaining:

Bahrain, Japan, Jordan, Kuwait, Mongolia, Morocco, Qatar, Saudi Arabia, Sri Lanka, Tuvalu, Uganda, United Arab Emirates, Zimbabwe.

49. *The proposed insertion of a new subparagraph following paragraph 15 (c) was rejected by 111 votes to 39, with 13 abstentions.*

50. *A recorded vote was taken on the amendment proposed to paragraph 15 (d).*

In favour:

Antigua and Barbuda, Bahamas, Barbados, Botswana, Brunei Darussalam, Dominica, Equatorial Guinea, Gambia, Ghana, Grenada, Guyana, Iraq, Jamaica, Malaysia, Myanmar, Republic of Korea, Saint Lucia, Sierra Leone, Singapore, Sudan, Syrian Arab Republic, Tajikistan, United States of America.

Against:

Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Georgia, Germany, Greece, Guatemala, Guinea-Bissau, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of

Moldova, Romania, Russian Federation, Rwanda, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Suriname, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia.

Abstaining:

Bahrain, Bangladesh, Belize, Bhutan, Guinea, Haiti, India, Indonesia, Iran (Islamic Republic of), Kuwait, Mali, Mongolia, Morocco, Saudi Arabia, Sri Lanka, Tuvalu, Uganda, United Arab Emirates, Zimbabwe.

51. *The amendment proposed to paragraph 15 (d) was rejected by 119 votes to 23, with 19 abstentions.*

52. *A recorded vote was taken on the amendment proposed to paragraph 27.*

In favour:

Afghanistan, Bangladesh, Barbados, Bhutan, Botswana, Brunei Darussalam, China, Democratic People's Republic of Korea, Dominica, Egypt, Equatorial Guinea, Gambia, Ghana, Grenada, Guyana, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Malaysia, Maldives, Myanmar, Oman, Pakistan, Philippines, Qatar, Saint Lucia, Sierra Leone, Singapore, Sudan, Syrian Arab Republic, United States of America, Zimbabwe.

Against:

Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Ethiopia, Finland, France, Georgia, Germany, Greece, Guatemala, Guinea-Bissau, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Yemen.

Abstaining:

Antigua and Barbuda, Bahamas, Bahrain, Belize, Guinea, Haiti, Japan, Jordan, Kuwait, Mali, Mongolia, Morocco, Niger, Republic of Korea, Saudi Arabia, Sri Lanka, Suriname, Tuvalu, Uganda, United Arab Emirates, Zambia.

53. *The amendment proposed to paragraph 27 was rejected by 106 votes to 36, with 21 abstentions.*

54. **Mr. Degia** (Barbados), speaking in explanation of vote after the vote on the proposed amendment to paragraph 27, said that his delegation had voted in favour of it even though Barbados itself had in the early 1980s repealed the death penalty for persons under the age of 18. Its vote should therefore not be construed as support for the death penalty but rather as an expression of deep concern about the incremental manner in which some States had sought to impose on the rest of the international community their own views and standards regarding issues like the death penalty or corporal punishment, on which there was no international consensus.

55. **Mr. Malhotra** (India), speaking in explanation of vote before the vote on the proposed amendment to paragraph 28 of the draft resolution, said that his delegation would abstain because, by substituting a reference to torture and similar treatment for the reference to corporal punishment, the amendment presented a wrong choice. It was the responsibility of the United Nations to protect children in detention, and they should not only be spared both corporal punishment and forced labour but should in addition

not be subjected to torture or other cruel, inhuman or degrading treatment or punishment.

56. **Mr. Wood** (United Kingdom) said that the sponsors of the draft resolution would be voting against the proposed amendment to paragraph 28 because it in effect deleted any reference to corporal punishment, while replacing it with something that was already covered under the general prohibition in paragraph 13 of the draft resolution.

57. *A recorded vote was taken on the amendment proposed to paragraph 28.*

In favour:

Antigua and Barbuda, Bahamas, Bangladesh, Barbados, Bhutan, Botswana, Brunei Darussalam, China, Dominica, Equatorial Guinea, Gambia, Ghana, Grenada, Guyana, Jamaica, Libyan Arab Jamahiriya, Malaysia, Oman, Saint Lucia, Sierra Leone, Singapore, Syrian Arab Republic, Zimbabwe.

Against:

Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Georgia, Germany, Greece, Guatemala, Guinea-Bissau, Honduras, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Maldives, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Suriname, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Yemen.

Abstaining:

Afghanistan, Bahrain, Belize, Guinea, Haiti, India, Indonesia, Iran (Islamic Republic of), Kuwait, Mali, Mauritius, Morocco, Pakistan, Qatar, Saudi Arabia, Sri Lanka, Sudan, Uganda, United Arab Emirates, United States of America, Zambia.

58. *The amendment proposed to paragraph 28 was rejected by 116 votes to 23, with 21 abstentions.*

59. **Ms. Ohashi** (Japan) said that during the informal consultations on the renewal of the mandate of the Special Representative of the Secretary-General for Children and Armed Conflict, dealt with in paragraph 35 of the draft resolution, Japan had proposed that the renewal should be subject to the availability of funds from voluntary contributions, so that the Office of the Special Representative could be supported through extrabudgetary funding. The amendment had not been accepted by the sponsors, and her delegation was therefore now asking for a separate vote on paragraph 35 of draft resolution A/C.3/60/L.22/Rev.1.

60. After a procedural discussion in which **Mr. Malhotra** (India), **Mr. Cumberbach** (Cuba), **Mr. Tan** York Chor (Singapore), **Ms. Prosser** (United States of America), **Ms. Ohashi** (Japan), **Mr. Rowe** (Sierra Leone) and **Mr. Khane** (Secretary of the Committee) took part, the **Chairman** invited explanations of vote before the vote on the retention of paragraph 35.

61. **Mr. Babadoudou** (Benin), observing that his Government attached great importance to the work of the Special Representative, urged all delegations to vote, as Benin would, in favour of retaining paragraph 35 as drafted.

62. **Mr. Nurnberg** (Norway) said that the Committee must decide if the Office of the Special Representative should be allowed to build on its many successful achievements of the past years and ultimately create safe conditions for the children throughout the world affected by armed conflict. Norway intended to vote in favour of retaining paragraph 35, thereby extending the Special Representative's mandate.

63. **Mr. Malhotra** (India) said that, given the vulnerability of children affected by armed conflict, an issue necessarily of international concern, his delegation would vote to retain paragraph 35.

64. **Mr. Wood** (United Kingdom), speaking on behalf of the European Union, said that the European Union delegations attached great importance to the mandate of the Special Representative, the first to have advocated so successfully throughout the United Nations system for the protection of children in situations of armed conflict. The Japanese proposal had been rejected in the informal consultations on the question because, since no voluntary contributions had ever been pledged, it would have meant closing the Office of the Special Representative by the end of the month. His delegation urged all those to whom the protection of children mattered to vote to retain paragraph 35 and to allow the Special Representative to continue his valuable work.

65. **Mr. Rowe** (Sierra Leone) said that since the deletion of paragraph 35 would be tantamount to the abolition of the Office of the Special Representative, his delegation would vote in favour of its retention. Any budgetary problems should be dealt with by the Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions.

66. **Ms. Otiti** (Uganda) said that her delegation would vote against retaining paragraph 35 as currently drafted. To begin with, it attributed progress to the Special Representative that, in Uganda, had been due instead to the Government's own efforts along with those of its development partners and some non-governmental organizations. Moreover, the paragraph failed to address the issue of the Special Representative's mandate, which the Secretary-General himself had, in the report referred to in the text, characterized as vague in nature, unclear as to the functions of the position, and actually detrimental to focused advocacy. Paragraph 35 should therefore have requested the Secretary-General to submit a follow-up report at the sixty-first session of the General Assembly regarding the implementation of his recommendations on the system-wide response to children and armed conflict.

67. In future, Uganda would be in favour of extending the Special Representative's mandate, once it had been properly clarified, and would pledge cooperation with an objective, professional mandate holder who worked transparently for the protection of children all over the world, including Uganda.

68. **Mr. Cumberbach** (Cuba) said that his delegation intended to vote for retention of paragraph 35.

69. *A recorded vote was taken on the retention of paragraph 35.*

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland,

United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Japan, Uganda, United States of America.

Abstaining:

None.

70. *Paragraph 35 was approved by 163 votes to 3.*

71. **Ms. Ohashi** (Japan), said that her delegation had voted against the inclusion of paragraph 35, although the rights and welfare of children affected by armed conflict was one of the most important issues for her Government and it was committed to finding a lasting solution to the problem. Japan had no objection to extending the mandate of the Special Representative, because the United Nations needed a mechanism to monitor the situation of such children. It believed, however, that in order to ensure transparent and efficient management, the Office of the Special Representative should be maintained through voluntary contributions, given the overall financial situation of the United Nations.

72. **Mr. Tan** York Chor (Singapore), referring to draft resolution A/C.3/60/L.22/Rev.1, requested separate votes on the deletion of the words "and to take measures to eliminate the use of corporal punishment in schools" in paragraph 15 (d), the words "in particular those States in which the death penalty has not been abolished" in paragraph 27, and the words "or corporal punishment" in paragraph 28.

73. **Mr. Wood** (United Kingdom) objected that the proposal to delete those words in draft resolution A/C.3/60/L.22/Rev.1 were no different from the amendments proposed in document A/C.3/60/L.69. Those amendments had been rejected by recorded votes taken earlier in the meeting and could not be put to the vote again.

74. **Mr. Tan** York Chor (Singapore) said that under the terms of rule 129 of the rules of procedure he was entitled to call for a vote on any part of a proposal, the case in point being parts of draft resolution A/C.3/60/L.22/Rev.1.

75. *A recorded vote was taken on paragraph 15 (d).*

In favour:

Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guinea-Bissau, Honduras, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Russian Federation, Rwanda, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia.

Against:

Antigua and Barbuda, Bahamas, Barbados, Botswana, Brunei Darussalam, Dominica, Grenada, Guyana, Iran (Islamic Republic of), Jamaica, Malaysia, Saint Lucia, Sierra Leone, Singapore, Sudan, Syrian Arab Republic, United States of America.

Abstaining:

Belize, Bhutan, Guinea, Haiti, India, Indonesia, Kuwait, Qatar, Republic of Korea, Sri Lanka, Suriname, Uganda, United Arab Emirates.

76. *Paragraph 15 (d) was retained by 125 to 17, with 13 abstentions.*

77. *A recorded vote was taken on paragraph 27.*

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Cameroon, Canada, Cape Verde, Central African Republic, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Finland, France, Georgia, Germany, Greece, Guatemala, Guinea-Bissau, Honduras, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Romania, Russian Federation, Rwanda, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Yemen.

Against:

Barbados, Botswana, Brunei Darussalam, China, Dominica, Egypt, Gambia, Ghana, Grenada, Guyana, India, Indonesia, Iran (Islamic Republic of), Jamaica, Libyan Arab Jamahiriya, Malaysia, Maldives, Pakistan, Philippines, Qatar, Saint Lucia, Sierra Leone, Singapore, Sudan, Syrian Arab Republic, Uganda, United States of America, Zimbabwe.

Abstaining:

Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Belize, Bhutan, Burkina Faso, Democratic People's Republic of Korea, Guinea, Haiti, Japan, Jordan, Kuwait, Mali, Niger, Republic of Korea, Saudi Arabia, Sri Lanka, Suriname, United Arab Emirates, Zambia.

78. *Paragraph 27 was retained by 109 to 28, with 21 abstentions.*

79. *A recorded vote was taken on paragraph 28.*

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Cape Verde, Central African Republic, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Finland, France, Georgia, Germany, Greece, Guatemala, Guinea-Bissau, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Rwanda, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen.

Against:

Antigua and Barbuda, Barbados, Botswana, Brunei Darussalam, Dominica, Gambia, Grenada, Guyana, Jamaica, Malaysia, Saint Lucia, Sierra Leone, Singapore, Syrian Arab Republic.

Abstaining:

Bahamas, Bahrain, Belize, Bhutan, China, Guinea, Haiti, Iran (Islamic Republic of), Kuwait, Pakistan, Qatar, Saudi Arabia, Sri Lanka, Sudan,

Suriname, Tuvalu, Uganda, United Arab Emirates, United States of America, Zambia.

80. *Paragraph 28 was retained by 123 to 14, with 20 abstentions.*

81. **Ms. Prosser** (United States of America) said that her Government wished to propose several amendments to draft resolution A/C.3/60/L.22/Rev.1. They had been sent to the Secretary and posted electronically. Her delegation would not insist on bringing them to a vote if they were unacceptable to the main sponsors of the resolution, but it requested that they should be published verbatim as part of the official record of the meeting.

82. The second preambular paragraph should be amended to read: "Emphasizing that the Convention on the Rights of the Child, its Protocol on the Sale of Children, Child Prostitution and Child Pornography, its Protocol on the Involvement of Children in Armed Conflict, the International Covenant on Civil and Political Rights, as well as the ILO Convention No. 182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, the Hague Convention on the Civil Aspects of International Child Abduction, and the 1951 Convention relating to the Status of Refugees and its 1967 Protocol contain a comprehensive set of international legal standards for the protection and well-being of children, and reaffirming that the best interests of the child shall be a primary consideration in all actions concerning children".

83. In the operative part, paragraph 2 should be revised to read "Urges States that have not yet done so to consider as a matter of priority signing and ratifying or acceding to the Convention on the Rights of the Child and its Optional Protocols, and urges States parties to implement them fully, while stressing that the implementation of the Convention and its Optional Protocols and the achievement of the goals of the World Summit for Children from the special session of the General Assembly on children are mutually reinforcing." Obligations under the Convention should apply only to States parties, therefore the second line of paragraph 4 should read "and calls upon all States parties". Paragraph 7 should either read "Urges again all States parties to intensify" or the words "to comply with their obligations under the Convention on the Rights of the Child" should be deleted. Paragraph 9 concerning children whose parents lived in different States was unacceptably weak, as it failed to address the need for effective means of legally enforcing international access and visitation; therefore, the words "to the extent consistent with the obligations of each State" should be deleted, and the word "enforceable" should be inserted in the fourth line before "means of access and visitation".

84. Paragraph 10 on international parental or familial child abduction was also too weak, because it failed to address enforcement of remedies and treaty compliance. Accordingly, "accession to" in the third line should be replaced by "accession or ratification and full compliance with" before the words "the Hague Convention". In the penultimate line the words "facilitate, inter alia," should be replaced by "enforce", and the word "habitually" should be inserted before "resided". Paragraph 16 should be deleted. Paragraph 33 (c) should end after the words "Geneva Conventions of 12 August 1949;" and the last two lines of the paragraph should be deleted. If Japan did not call for a vote on paragraph 35, she would say that paragraph 35 should either be deleted, or amended by inserting the phrase "exclusively by means of voluntary contributions" before "extend the mandate of the Special Representative".

85. **Mr. Wood** (United Kingdom) said that at least some of the proposed amendments should have been discussed during the informal consultations. They appeared to undermine the Convention on the Rights of the Child, which had become the ratified international standard. On behalf of the sponsors, he accepted the United States offer to forego a vote on the proposed amendments.

86. **Mr. Malhotra** (India) said that there had been barely time to write down the proposed amendments. Both the sponsors and other delegations should make a little more effort in future and adopt a more responsible attitude, so that such a situation would not arise again.

87. **Ms. Pi** (Uruguay) said that the sponsors had made major efforts throughout the informal negotiations, and comments and amendments had been taken into account as far as possible. All delegations had had the chance to participate in the negotiation process, and the amendments put forward should have been proposed in the course of that process.

88. **Ms. Wood** (United States of America) requested a recorded vote on draft resolution A/C.3/60/L.22/Rev.1.

89. **Mr. Begg** (New Zealand), speaking on behalf of Canada and New Zealand, said that those countries were committed to the protection and promotion of the rights of the child and supported numerous relevant major international instruments. Their Governments were also among the staunchest defenders of a strong text.

90. Although the resolution contained some good language, for some years much of the text had repeated existing treaty provisions which were already binding on most Sates, and it had become difficult to discuss change and new issues due to the length and unwieldy form of the resolution. He commended the modest success of the main sponsors in the current year in streamlining the text and introducing new issues. The section on children and HIV/AIDS was a welcome addition, and more effort should be focused on new issues of that type, rather than on rehashing old debates. The fact that the subject matter of that section would deal with a new subject every year was also a welcome development.

91. The erosion of support for the draft resolution was a concern. A few years earlier the text had been adopted by consensus, but increasingly parts of it were being put to the vote, and the current year constituted a nadir. It was regrettable that not all delegations could support the references made in the resolution to the Convention on the Rights of the Child, the need to eliminate the juvenile death penalty and corporal punishment in schools, and the important role of the International Criminal Court in combating impunity. While the Canadian and New Zealand delegations continued to strongly support those provisions, they saw no need to keep putting an omnibus draft resolution on children to the vote. If the draft resolution was considered less often, the Committee could consider shorter and more focused resolutions. The approach to children's rights in the General Assembly should be reconsidered.

92. **Mr. Tan** York Chor (Singapore) commended the representative of New Zealand for echoing many points contained in his own earlier statement.

93. **Ms. Wood** (United States of America), speaking in explanation of vote before the voting, said that her Government supported many of the principles and standards underlying the Convention on the Rights of the Child. Her Government was committed to fully integrating the protection of children's rights into its foreign policy and applied the Convention more effectively than did many of the States parties. However, the Convention conflicted with parental authority and the provisions of state and local law in many fields which were primarily the responsibility of state and local governments in her country, where legislation generally apportioned rights between adults and children in a different manner from the Convention.

94. The draft resolution overemphasized the importance of the Convention on the Rights of the Child by asserting that it must constitute the standard in the promotion and protection of the rights of the child. Other international instruments addressed particular problems, for example child labour, more comprehensively and effectively.

95. The language on the right of children to have access to and to visit both parents and on international parental and familial child abduction was too weak. The language concerning the International Criminal Court should be neutral and factual. Some of the formulations had been improved, for example on the exploitation of children. However, the text should be shorter, should target issues of critical importance to children and should focus on matters not addressed in other resolutions.

96. Her delegation would vote against the draft resolution, because of unacceptable language or issues that should be addressed elsewhere.

97. *A recorded vote was taken on draft resolution A/C.3/60/L.22/Rev.1.*

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea,

Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

United States of America.

Abstaining:

Nauru.

98. *Draft resolution A/C.3/60/L.22/Rev.1 was adopted by 173 to 1, with 1 abstention.*

99. **Mr. Rowe** (Sierra Leone) said that the draft resolution was important to all who cherished the rights and dignity of children. Despite reservations, some of which had been reflected in the separate votes requested by Singapore, and disappointment that it had been necessary to resort to a vote, his delegation had voted in favour of the draft resolution.

100. **Ms. García-Matos** (Bolivarian Republic of Venezuela) said that her country's organic law on the integral protection of children and adolescents was based on the Convention on the Rights of the Child and treated the child as a developing person having the rights and duties belonging to all human beings.

101. Her delegation appreciated the work of the principal sponsors, particularly the delegation of Uruguay. However, she wished to make an interpretative declaration concerning its sixth preambular paragraph. As the Committee was aware, her Government did not recognize document A/60/1 as an official part of the 2005 World Summit, but considered it rather as a working paper, which did not impose any obligations or mandate on her country. It therefore interpreted the sixth preambular paragraph of the draft resolution as a reference to the general commitments which should guide Governments seeking to create a world in which the rights of children and adolescents were respected.

102. Her delegation noted with satisfaction that the next session would include an item on children and poverty, motivating her Government to continue its traditional sponsorship of the draft resolution at the sixty-first session.

103. **Mr. Degia** (Barbados), speaking also on behalf of the delegations of Antigua and Barbuda, the Bahamas, Dominica, Grenada, Guyana, Jamaica and Saint Lucia, said that, contrary to tradition, those delegations had not sponsored the draft resolution in the current year and, owing to persistent concerns over language referring to corporal punishment, had either abstained from voting on paragraphs 15 (d) and 28 or had voted against them. Whereas in most cases corporal punishment was carried out in limited circumstances and with due regard to the safety and dignity of the child, in the draft resolution the reference to it had been placed in a subsection entitled "Violence against children" and thus implicitly equated with such heinous acts as trafficking in children.

104. The draft resolution dealt with issues that were of paramount importance to the Governments on whose behalf he was speaking. Their position should not be misconstrued as lack of support for the overall thrust of the resolution or the critically important principles of the promotion and protection of the rights of children.

The meeting rose at 6.05 p.m.